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medium into sequentially occurring time slots, and allocating some time slots for use as one or more synchronous communications links, and allocating other time slots for use as one or more asynchronous communications links. In order to provide great flexibility in the allocation, the invention calls for the address of the intended recipient to be included in the transmission. The intended recipient can thereby recognize that the transmitted packet is intended for him. Moreover, other communication units need not keep track of whether that particular time slot is being used for synchronous or asynchronous transmissions, since in either case the fact that a different communication unit's address is included in the packet informs a unit that it is not the intended recipient and needn't be concerned with it.

Inclusion of the intended recipient's address in the transmitted packet itself also gives great scheduling flexibility to the master unit, which can decide on a per slot basis which client is to be addressed, and whether an asynchronous data transmission will, at least temporarily, replace an otherwise scheduled transmission on a synchronous link.

Accordingly, claim 22 defines a master communication unit in a communication system having a shared communications channel divided into a plurality of timeslots. The master communication unit comprises a transceiver for transmitting and receiving data packets over said shared communication channel; and a processor coupled to the transceiver. The processor reserves one or more sets of the plurality of timeslots to establish one or more synchronous communications links thereupon; establishes one or more asynchronous communications links on the remaining ones of the plurality of timeslots; and causes said transceiver to use one or more destination addresses when transmitting data packets over said communications channel on said one or more synchronous communications links and said one or more asynchronous communications links.

It has long been recognized that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil co. of California*, 2 USPQ2D 1051, 1053 (Fed. Cir. 1987). The Altvater et al. patent fails to meet this standard, and therefore fails to anticipate claim 22 at least because it neither discloses nor even suggests a processor in a master communication unit that "causes [a] transceiver to use one or more destination addresses when transmitting data packets over said communications channel on said one or more synchronous communications links and said one or more asynchronous

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communications links" (Emphasis added.) Instead, the Altvater et al. patent is silent with respect to this feature.

In support of its rejection, the Office relies on Altvater et al. at column 9, lines 66-67 as allegedly disclosing the inclusion of destination addresses in data packets transmitted over synchronous communications links. This reliance is unfounded for several reasons.

First, the Altvater et al. patent does not mention that destination addresses are to be used when communicating over a synchronous communications link. The portion of Altvater et al. relied upon by the Office merely says, "This data packet consists in known fashion of a header, a data packet, and a trailer." There is no mention of a destination address, nor are the contents of the header, data packet, and trailer described anywhere.

Moreover, even if the Office were to find some basis for arguing that the header mentioned in Altvater et al. includes a data address, it is clear from the text that follows in Altvater et al. that this description refers only to data packets to be transmitted over the asynchronous communications link, not the synchronous communications link as required by Applicant's claims. More particularly, the text found at column 10, lines 7-11 states, "If it is found, during the check in T<sub>2</sub>, that the selected channel is already occupied by primary users, the remainder of the time in the time slot elapses unused, and the operations just described begin again at the start of the next time slot."

This cannot be a description of synchronous communications because the time slots for synchronous communications are reserved in accordance with a strict regimen that would prevent a communications unit from simply deciding to transmit the packet in a different, non-allocated slot. For example, Figure 6 of Altvater et al. shows an exemplary allocation of time slots for voice (i.e., synchronous) communication, S1V and S3V, as well as time slots available for data (i.e., asynchronous) communication, S1D and S3D. Altvater et al. at column 12, lines 3-5 describe the time slots for synchronous communications as follows: "It is evident that frequency-hopping patterns S1V and S3V grant transmission authorization at equidistant intervals. For example, user station 12 can transfer voice in time slots 0, 10, 20, etc., while user station 14 (S3V) can transfer voice in time slots 5, 15, 25, etc."

It is therefore evident that the text relied on by the Office, at column 9, lines 66-67, must be describing a data packet for use in asynchronous communication because permitting this operation to take place in the next time slot instead of the reserved time slot would violate the protocol for synchronous communications. Accordingly, the text at column 9,

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lines 66-67 neither says nor suggests anything about including a destination address in a packet for synchronous communications.

For at least the foregoing reasons, independent claim 22 is patentably distinguishable over the Altwater et al. patent. Claims 23, 24, and 27 each depend from claim 22, and are therefore patentably distinguishable over Altwater et al. for at least the same reasons as set forth with respect to claim 22. Accordingly, it is respectfully requested that the rejection of claims 22-24 and 27 under Section 102 be withdrawn.

The application is believed to be in condition for allowance. Prompt notice of same is respectfully requested.

Respectfully submitted,  
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